

REMARKS

This Application has been carefully reviewed in light of the final Office Action mailed January 12, 2005. To advance prosecution of this application, Applicants have responded to each notation by the Examiner. Applicants submit that all of the pending claims are allowable over the cited references. Applicants respectfully request reconsideration, further examination, and favorable action in this case.

The Non-Statutory Double Patenting Rejection

The Examiner rejects Claims 1-2, 4-13, 25-28, 30-33, 39, and 41-43 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-42 of U.S. Patent No. 6,493,488 issued to Islam et al. ("*Islam*") in view of U.S. Patent No. 6,449,407 issued to Kiang et al. ("*Kiang*"). The Examiner provides that a timely filed terminal disclaimer in compliance with 37 C.F.R. 1.321(c) may be used to overcome this provisional rejection. Without conceding the veracity of any double patenting rejection, but instead solely for the purpose moving this case expediently to issuance, Applicants file herewith a Terminal Disclaimer obviating the double patenting rejection.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending Claims.

Applicants enclose a check for \$65.00 to cover the cost of filing a Terminal Disclaimer. The Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If the Examiner feels that a conference would advance prosecution of this Application in any manner, Douglas M. Kubehl stands willing to conduct such a telephone interview at the convenience of the Examiner. Mr. Kubehl may be reached at 214-953-6486.

Respectfully submitted,

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